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Counsel for Defendant ALEXANDER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-07-00488 CW
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING SENTENCING HEARING
vs.)	
)	Hearing Date: July 23, 1008
ANDRE MATTHEWS, et al.)	Requested Date: August 13, 2008
)	
Defendant.)	
_____)	

The United States, through its counsel Keslie Stewart, and defendant BOBBY ALEXANDER, through his counsel Garrick Lew, hereby agree and stipulate to a continuance of the sentencing hearing in this case presently scheduled for Wednesday, July 23, 2008 to August 13, 2008 before this Court.

On June 30, 2008, counsel for defendant lodged objections to the draft 35 day presentence report requesting that the probation officer address possible pre-sentence state credits pursuant to § 5G1.3 of the guidelines for defendant's undischarged term of imprisonment while defendant was incarcerated in 2007 in Contra Costa County and detained by the Parole Board for the State of California for relevant conduct to the instant offense of conviction. Counsel has undertaken efforts to obtain records from Contra Costa County Superior Court and the Parole Board for the State of California and has been informed by these state agencies that

1 the records will not be available this week. Once the requested records are available, the
2 probation officer will require time to assess and evaluate the information provided. Furthermore,
3 defense counsel will be on vacation from July 12 through July 19, 2008 and will not be available
4 to prepare and file defendant's sentencing memorandum 5 days prior to defendant's sentencing
5 date.

6 Probation officer Brian Casai and AUSA Keslie Stewart do not oppose defendant's
7 request to continue the sentencing date to August 13, 2008.

8
9 SO STIPULATED.

10 Dated: July 9, 2008



11 GARRICK S. LEW
12 Attorney for Bobby Alexander

13
14 Dated: July 9, 2008

/s/

15 _____
16 Keslie Stewart
17 Assistant United States Attorney

18 ORDER

19 Based on the stipulation of the parties and the facts set forth herein, good cause
20 appearing,

21 IT IS HEREBY ORDERED that defendant's sentencing hearing scheduled for July 23,
22 2008 is vacated and sentencing is continued to 2 p.m. on August 13, 2008.

23 DATED: 9/10/08



24 _____
25 Claudia Wilken
26 United States District Court Judge